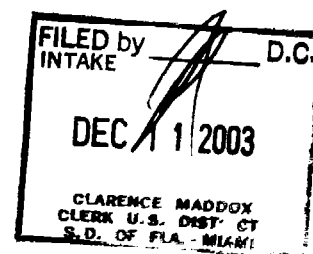


Date December 8, 2003

From Ariel A Hernandez # 50496824

FILING FEE	
PAID	R.O. Box 9356
In forma Pauperis	N
Clarence Maddox, Clerk	



United States District Court, Southern District of Florida

United States of America

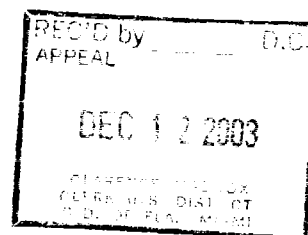
Plaintiff

Case # 000273-CR-HUCK

- US -

Ariel A Hernandez

Defendant.



Notice Of Appeal.

Defendant gives notice to Appeal "Order on Defendants Personal Objections, with Judge Huck treated as a Motion to discharge his Appellate co-counsel Jeffrey Winkler AND A motion to Recuse The Court" The Motion was DENIED. Other pertinent facts follow:

1 Order denying motion was signed by Judge Huck November 10, 2003, AND Received by The Clerk Mr. Clarence Maddox, U.S. Dist. Ct. S.D. of Fla. on November 13, 2003 As stamped on The Order.

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H.H.

2. Defendant's Counsel, Mr. Richard Rosenbaum, did not forward the Order until November 26, 2003 (as stamped on the forwarding envelope) on correspondence dated November 19, 2003.
3. Defendant did not receive the forwarded ~~order~~ order until November 26, 2003; day before Thanksgiving.
4. Defendant properly notes that he was scheduled for an important December 5, 2003 hearing before Honorable Judge Mike Kaplan on case # 99-5930¹ and this involved in preparations for scheduled date.
5. Defendant adds that he is not a lawyer and his intentions are to appeal Judge Huck's order, but does not know if the notice of appeal will arrive in time since defendant has no control as to when the facility of incarceration will send his letter out to the postal office.² Defendant is being vigorous in meeting the 10 day limit; and if notice of appeal is late, please take into consideration the above stated situation of the defendant's incarceration, and lack of knowledge of procedures of the court. Supplemental papers

will follow since Defendant is deprived of a copy machine. ALL copies have to be handwritten in addition Defendant is limited to access to his Attorney in the Facility.

6. Defendant Affirms everything said herein this Motion is true.

Certificate of Service The undersigned certifies that a true and correct copy of the foregoing Defendants Notice of Appeal was sent to A) Honorable Judge Huck B) Clerk of Court C) Richard Rosenbaum ESQ. D) LISA HIRSH ESQ.³(4) Individually addressed copies were given to ~~to~~ an official in-charge of my custody, who also handles out going mail via in-house or U.S. Postal Service

Date December 8, 2003

Respectfully Submitted



Ariel A. Hernandez

1. Defendant is Facing the same charges as

conducted in Federal court but under State Statutes And Law, CASE NO 99-5930 Before Honorable Judge Mike Kaplan

2 Inmate is incarcerated in a maximum security custody Facility of Broward County AND is subject to intense security checks including in cell, attorney visits, AND all correspondence into AND from The Facility Therefore causing many un-wanted delays.

3A United States District Court, Southern District of Fla, Office of The Clerk 301 N Miami Ave. Room 150, Miami, Fla. 33128-7788 (Att Clerk of Court AND Honorable Judge Huck)

B Richard Rosinbaum ESQ 350 east Las Olas BLVD Suite 1700 Las Olas Centre, Ft. Lauderdale, Fla. (██████) 33301

c Lisa Hirsch ESQ. Assistant United States Attorney, 99 NE 4 street, 8th floor, Miami Fla. 33132.